

Ex. M-K(b)

Summons and Complaint to McNally

DISTRICT COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON

INDEX #

8

SUMMONS

MIDLAND FUNDING LLC
A/P/O BENEFICIAL

PLAINTIFF,

PLAINTIFF'S ADDRESS
8875 AERO DR STE#200
SAN DIEGO CA 92123

- AGAINST -

DEFENDANT'S ADDRESSES
151 HILARY ST

X

LEEANN DEROSA

DEFENDANT(S). OAKDALE NY 11769

CONSUMER CREDIT TRANSACTION

THE BASIS OF THE VENUE IS:

A DEFENDANT RESIDES IN THE COUNTY OF SUFFOLK
THE TRANSACTION TOOK PLACE IN THE COUNTY OF SUFFOLK

BAC
05/24/12
2/2/12

TO THE ABOVE NAMED DEFENDANT(S): LEEANN DEROSA

YOU ARE HEREBY SUMMONED AND REQUIRED TO APPEAR IN THE DISTRICT COURT OF
THE COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON PART AT THE
OFFICE OF THE CLERK OF THE SAID COURT AT 30 EAST HOFFMANN AVE
LINDENHURST, NY IN THE COUNTY OF SUFFOLK, STATE OF NEW YORK
BY SERVING AN ANSWER TO THE ANNEXED COMPLAINT UPON PLAINTIFFS ATTORNEY,
AT THE ADDRESS STATED BELOW, OR IF THERE IS NO ATTORNEY, UPON THE
PLAINTIFF, AT THE ADDRESS STATED ABOVE WITHIN THE TIME PROVIDED BY LAW AS
NOTED BELOW;

UPON YOUR FAILURE TO ANSWER, JUDGMENT WILL BE TAKEN AGAINST YOU FOR THE
RELIEF DEMANDED IN THE COMPLAINT, TOGETHER WITH THE DISBURSEMENTS OF
THIS ACTION.

DATED THE 6 DAY OF FEBRUARY , 2012

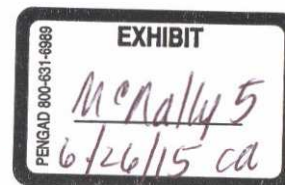
FILE NO.
P148542655334
ORIG CRED: BENEFICIAL
ORIG ACCT# END IN: 4552
NOTE: THE LAW PROVIDES THAT:

FORSTER & GARBUS LLP
ATTORNEY(S) FOR PLAINTIFF
60 MOTOR PARKWAY
COMMACK, NY 11725
(631) 393-9400

(A) IF THIS SUMMONS IS SERVED BY ITS DELIVERY TO YOU, OR (FOR A CORP-
ORATION) AN AGENT AUTHORIZED TO RECEIVE SERVICE , PERSONALLY WITHIN
THE COUNTY OF SUFFOLK YOU MUST ANSWER WITHIN 20 DAYS AFTER
SUCH SERVICE: OR

(B) IF THIS SUMMONS IS SERVED OTHERWISE THAN AS DESIGNATED IN SUBDIVI-
SION (A) ABOVE YOU ARE ALLOWED 30 DAYS TO ANSWER AFTER THE PROOF OF
SERVICE IS FILED WITH THE CLERK OF THIS COURT.

(C) YOU ARE REQUIRED TO FILE A COPY OF YOUR ANSWER TOGETHER WITH PROOF
OF SERVICE WITH THE CLERK OF THE DISTRICT IN WHICH THE ACTION IS BROUGHT
WITHIN TEN DAYS OF THE SERVICE OF THE ANSWER.



DISTRICT COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK, 1ST DISTRICT, BABYLON

FORMAL COMPLAINT

MIDLAND FUNDING LLC
A/P/O BENEFICIAL

PLAINTIFF,

- AGAINST -

LEEANN DEROSA

DEFENDANT(S).

PLAINTIFF, BY ITS ATTORNEY(S), COMPLAINING OF THE DEFENDANT(S), UPON
INFORMATION AND BELIEF, ALLEGES:

1. THAT THE DEFENDANT(S) RESIDES IN THE COUNTY IN WHICH THIS ACTION IS
BROUGHT; OR THAT THE DEFENDANT(S) TRANSACTED BUSINESS WITHIN THIS DISTRICT
AND THIS CAUSE OF ACTION AROSE OUT OF SAID TRANSACTION.

2. ON INFORMATION AND BELIEF THE DEFENDANT IN PERSON OR THROUGH AN AGENT
MADE CREDIT CARD PURCHASES OR TOOK MONEY ADVANCES UNDER A CREDIT CARD OR LINE
OF CREDIT ACCOUNT OR PROMISSORY NOTE/LOAN- WHICH A COPY WAS FURNISHED TO
DEFENDANT. PLAINTIFF PURCHASED THIS ACCOUNT FOR VALUE AND THE DEFENDANT WAS
NOTIFIED OF SAME.

3. THERE REMAINS AN AGREED BALANCE ON SAID ACCOUNT OF \$ 6,661.60 , DUE AND
OWING ON PLAINTIFF'S CAUSE OF ACTION. NO PART OF SAID SUM HAS BEEN PAID ALTHOUGH
DULY DEMANDED.

4. DEFENDANT(S) IS IN DEFAULT AND DEMAND FOR PAYMENT HAS BEEN MADE.

5. PLAINTIFF, AS OWNER, IS AUTHORIZED TO PROCEED WITH THIS ACTION.

THAT THERE IS NOW DUE PLAINTIFF FROM DEFENDANT(S) THE AMOUNT SET FORTH IN
THE COMPLAINT, NO PART OF WHICH HAS BEEN PAID, ALTHOUGH DULY DEMANDED.

WHEREFORE, PLAINTIFF DEMANDS JUDGMENT AGAINST DEFENDANT(S) FOR THE SUM OF
6,661.60 WITH INTEREST THEREON FROM THE 18 DAY OF DECEMBER , 2011,
TOGETHER WITH THE DISBURSEMENTS OF THIS ACTION

WE ARE DEBT COLLECTORS; ANY
INFORMATION OBTAINED WILL BE USED
IN ATTEMPTING TO COLLECT THIS DEBT.

FORSTER & GARBUS LLP
ATTORNEY(S) FOR PLAINTIFF
60 MOTOR PARKWAY
COMMACK, NY 11725

DATED: THE 6 DAY OF FEBRUARY , 2012



GLENN S. GARBUS / JOEL D. LEIDERMAN

PURSUANT TO PART 130-1.1-a OF THE RULES OF THE
CHIEF ADMINISTRATOR THIS SIGNATURE APPLIES
TO THE ATTACHED SUMMONS AND COMPLAINT

Agoado-F&G-000004

STATE OF NEW YORK
2ND DISTRICT COURT LINDENHURST 30 EAST HOFFMAN AVENUE LINDENHURST, NY 11757

Tuesday, February 21, 2012 AT 12:29 RECEIPT# 101242

CASE #: 16 NEW INDEXES FROM BAC-51232/12 TO BAC-51247/12

RECEIVED FROM: PLAINTIFF F&G

16-FILE SUMMONS/1ST PAPER

\$ 720.00

16-CONSUMER CREDIT FEE

\$ 1,520.00

TOTAL DUE:

\$ 2,240.00

PAYMENTS: CHECK #49733

\$ 420.00

CHECK #48831

\$ 1,400.00

CHECK #48835

\$ 140.00

CHECK #48834

\$ 140.00

CHECK #48833

\$ 140.00

AMOUNT TENDERED:

\$ 2,240.00

CHANGE:

\$.00

OPERATOR: NR REGISTER# 1

This receipt is your proof of payment for the transaction and index number noted above. Please retain this receipt for your records. All work is processed in the order that it is received.

Agoado-F&G-000005